

**MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**August 7, 2002**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened at 9:00 a.m., August 7, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Max W. Wilson and Mary Rose Wilcox. Absent: Andy Kunasek. Also present, Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; Tom Manos, Chief Financial Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

**MINUTES**

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the minutes from meetings held on June 17 and 26, 2002.

**PERSONNEL**

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to approve the personnel agenda. (List on file in the Clerk of the Board's Office.)

**EASEMENTS, RIGHT-OF-WAY**

There were no easements, right-of-way documents, relocation assistance, or appraisal service contracts presented for approval at this time (ADM1910)

**CONTRACT WITH STANTEC CONSULTING, INC.**

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to award Contract FCD 2001CO24, El Rio Watercourse Master Plan (WCMP) and Area Drainage Master Plan (ADMP), to Stantec Consulting, Inc., (PCN 106.01.01). This contract is in the lump sum amount of \$2,149,182.27. The contract performance is 570 calendar days effective the date of the notice-to-proceed. (C69020835)

Supervisor Wilcox mentioned that this contract and the Laveen Area Drainage Master Plan have been in the development stages for the past four to six years and she said, "these master plans would change the area dramatically, provide a wonderful recreation corridor and beautify the area in a manner that couldn't have been done a few years ago." She thanked the District for handling this matter so effectively.

**August 7, 2002**

**RESOLUTION – NORTH PEORIA AREA DRAINAGE MASTER PLAN**

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to adopt Resolution FCD 2002R003, North Peoria Area Drainage Master Plan (ADMP), and recommend to the Board of Supervisors of Maricopa County that the Board of Supervisors adopts the North Peoria ADMP dated February 27, 2002, as a planning tool to establish regional flood control “Rules of Development” across the unincorporated lands impacted by storm water flows within the study area. The Resolution authorizes and directs the Chief Engineer and General Manager of the District to regulate the unincorporated area of Maricopa County in the North Peoria ADMP non-encroachment area through regulation of the Erosion Control Zone as provided in the “Floodplain Regulations for Maricopa County”. (C69021106) (ADM1915-003)

**RESOLUTION FCD 2002R003**

**NORTH PEORIA AREA DRAINAGE MASTER PLAN  
ADOPTION OF RECOMMENDATIONS**

**WHEREAS**, Arizona Revised Statutes Title 48, Chapter 21 requires the Board of Directors of the Flood Control District of Maricopa County to identify flood problems and prepare plans such as the North Peoria Area Drainage Master Plan (ADMP) to eliminate or minimize flooding problems by implementing flood hazard mitigation programs within Maricopa County, and

**WHEREAS**, the Flood Control District of Maricopa County (District) was authorized by Resolution FCD 99-03 on June 16, 1999 to undertake the North Peoria ADMP study and Resolution FCD 2000R003 on May 3, 2000 authorized the North Peoria ADMP as a continuing project, as depicted in Exhibit A, and

**WHEREAS**, the District and the City of Peoria conducted the North Peoria ADMP study to identify and address flood and erosion hazards in the North Peoria ADMP study area and the study included public participation; field surveying and mapping; hydrologic, hydraulic, sedimentation, floodplain delineations, geomorphic evaluations, environmental, visual, and recreational analyses; evaluated several mitigation alternatives; and a recommended alternative including implementation and maintenance plan requirements, and

**WHEREAS**, the North Peoria ADMP study identified flood control and erosion hazard impacts of varying intensities in the study area by comparing the benefits and opportunities of a full structural, partial structural, low impact structural, and non-structural approach to flood and erosion hazard mitigation, and

**WHEREAS**, the North Peoria ADMP identified the potential flood control alternatives for watercourse management and stormwater storage alternatives and evaluated how each alternative met the goals of the North Peoria ADMP study, and

**WHEREAS**, the recommended plan for the watercourse-based flood control management for the North Peoria ADMP study area within unincorporated Maricopa County is the Non-Structural Alternative which defines a corridor (non-encroachment area) that allows the watercourse to function naturally and is defined by the 100-year floodplain, erosion hazard zone, and a buffer, if applicable, between human activity and a wash corridor, and

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**WHEREAS**, the North Peoria ADMP recognizes that there may be situations in which development activities may be required or desired within the erosion hazard zone and has, therefore, identified a Low Impact Structural Alternative, and

**WHEREAS**, The standard practice of retaining the volume from the 100-year two-hour rainfall event may not be practical for certain portions of the study area and if implemented within the entire watershed would have negative impacts in regard to sustaining native vegetation along watercourses, the North Peoria ADMP offers two (2) stormwater reduction alternatives to this standard practice referred to as "In-stream, Off-line Retention" and "In-stream, In-line Detention", and

**WHEREAS**, the North Peoria ADMP includes "Rules of Development" to minimize the occurrence of losses, hazards, and conditions adversely affecting the public health, safety, and general welfare that might result from flooding caused by the surface run-off of rainfall which are used for the regulating of the preferred alternative of a Non-Encroachment Area.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Flood Control District of Maricopa County adopts the recommendations of the North Peoria ADMP of the Non-Structural Alternative for the watercourse-based flood control management which defines a corridor (non-encroachment area) that allows the watercourse to function naturally and is defined by the 100-year floodplain, erosion hazard zone and a buffer, if applicable, between human activity and a wash corridor; and a Low Impact Structural Alternative for the stormwater storage alternatives management plan for when there are situations in which development activities may be required or desired within the erosion hazard zone; and the two (2) stormwater reduction alternatives referred to as "In-stream, Off-line Retention" and "In-stream, In-line Detention"; and

**BE IT FURTHER RESOLVED** that the Board of Directors of the Flood Control District of Maricopa County recommends adoption of the Rules of Development by the Board of Supervisors of Maricopa County for regulating development through the Drainage Regulations for Maricopa County as provided under Article XI Area Drainage Master Study.

**BE IT FURTHER RESOLVED** the Chief Engineer and General Manager of the District is authorized and directed to regulate the unincorporated area of Maricopa County in the North Peoria ADMP Non-encroachment Area through regulation of the erosion control zone as provided in the "Floodplain Regulations for Maricopa County."

**DATED** this 7<sup>th</sup> day of August 2002.

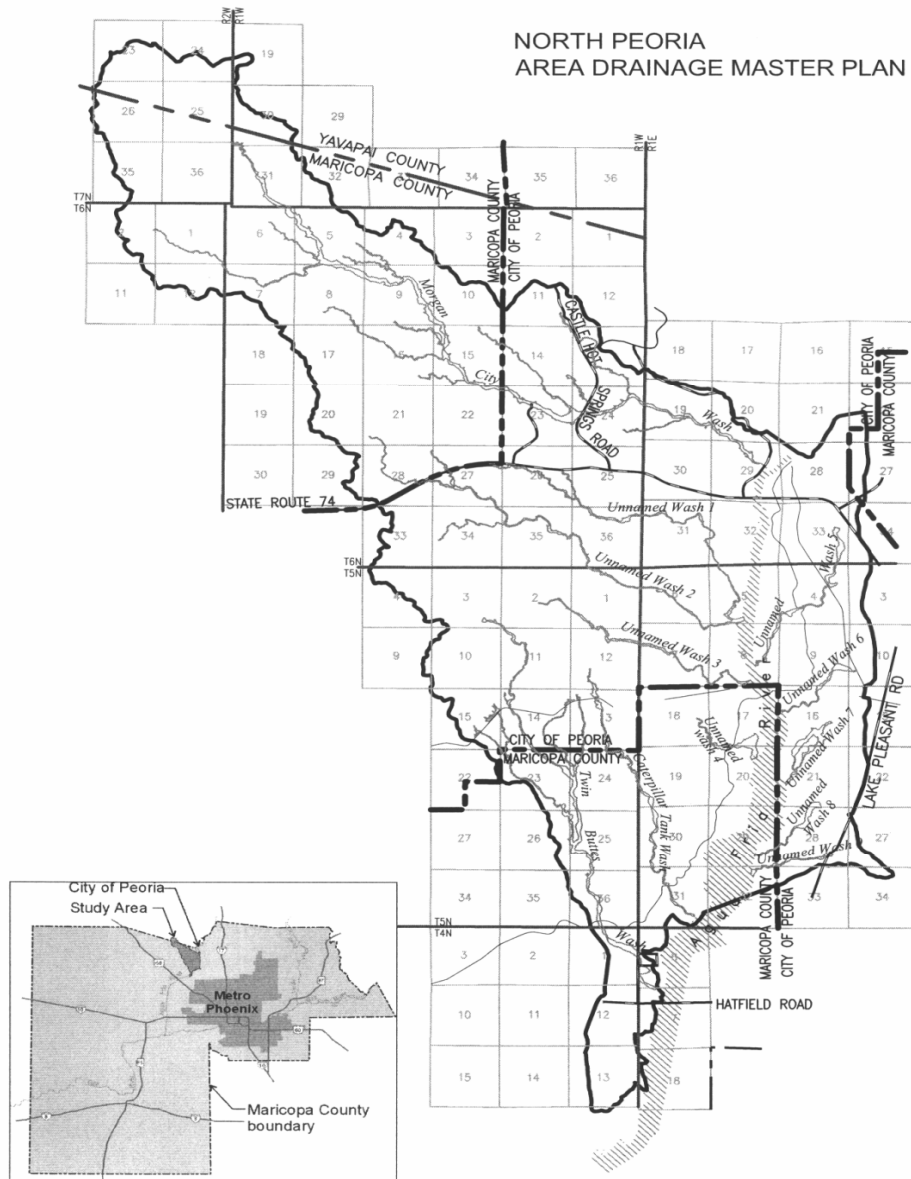
/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

August 7, 2002

## EXHIBIT A



### RESOLUTION – LAVEEN AREA DRAINAGE MASTER PLAN

**August 7, 2002**

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to adopt Resolution FCD 2002R004, Laveen Area Drainage Master Plan (ADMP), and recommend to the Board of Supervisors of Maricopa County that the Board of Supervisors adopts the Laveen ADMP dated December 2001, as a planning tool to establish regional flood control infrastructure across the unincorporated lands impacted by storm water flows within the study area. The Resolution authorizes and directs the Chief Engineer and General Manager of the District to negotiate intergovernmental agreements with Maricopa County, City of Phoenix, Maricopa County Department of Transportation, and other parties, as appropriate for implementation of the features of the plan. (C69021136) (ADM1915-003)

**RESOLUTION FCD 2002R004**

**LAVEEN AREA DRAINAGE MASTER PLAN**

**WHEREAS**, the Flood Control District of Maricopa County (District) initiated in July of 2000, under Resolution FCD 2000R011, the Laveen Area Drainage Master Plan (ADMP) for the purpose of identifying existing flood control problems and development of mitigation alternatives, to include channels and detention basins to collect, convey and dispose of storm water impacting the area, and

**WHEREAS**, Arizona Revised Statutes Title 48, Chapter 21 requires the Board of Directors of the District to identify flood problems and plan for the construction of facilities to eliminate or minimize flooding problems within Maricopa County, and

**WHEREAS**, the Board of Directors of the District authorized and directed the Chief Engineer and General Manager of the District in Resolution FCD 93-18 to negotiate and prepare intergovernmental agreements with the City of Phoenix, the Maricopa County Department of Transportation and/or other parties, as appropriate, for land acquisition, design, construction, construction management, operation and maintenance and appropriate District participation in landscape and multi-use improvements for the Laveen ADMP area, and

**WHEREAS**, the Board of Directors of the District authorized and directed the Chief Engineer and General Manager of the District to hire, retain, or otherwise utilize the professional services of the Maricopa County Attorney's office or private counsel to initiate and prosecute actions and proceedings in the manner required by law to acquire and/or condemn any and all rights-of-entry, easements, or real property required for the Laveen Area Conveyance Corridor and the Laveen ADMP which cannot be obtained by donation or purchase in the following locations, should they be necessary:

Township 1 North, Range 1 East, Section 25, 26, 35, 36; and  
Township 1 North, Range 2 East, Sections 28, 29, 30, 31, 32, 33; and  
Township 1 South, Range 1 East, Sections 1, 2, 12; and  
Township 1 South, Range 2 East, Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 20, 21, 28, 29, and,

As such, all lands as described, upon title search, should be notified of the study effort; and,

**WHEREAS**, the Laveen ADMP has been completed and has defined a preferred alternative for mitigation of storm water flowing through structural channels and detention basins, while allowing for implementation of multi-use amenities such as trails and parks, and

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**WHEREAS**, the District, in cooperation with the City of Phoenix and Maricopa County, will work to implement the features defined in the Laveen ADMP in total or in part, subject to funding, priorities and future authorizations.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the District adopts the Laveen ADMP Final Report, completed in December 2001, as the basis to mitigate storm water flooding within the Laveen area, and

**BE IT FURTHER RESOLVED** that the Board of Directors of the District recommends that the Board of Supervisors of Maricopa County adopts the Laveen ADMP as a planning tool to establish regional flood control infrastructure across unincorporated Maricopa County lands impacted by storm water flows within the study area, and

**BE IT FURTHER RESOLVED** that the Board of Directors of the District authorizes and directs the Chief Engineer and General Manager of the District to negotiate and prepare intergovernmental agreements with the City of Phoenix, Maricopa County Department of Transportation and/or other parties as appropriate, for land acquisition, design, construction, construction management, operation and maintenance, and appropriate District participation in landscape and multi-use improvements for the Laveen ADMP, subject to the ratification and approval of this Board, and

**BE IT FURTHER RESOLVED** that the Chief Engineer and General Manager of the District retains the right to and is authorized and directed to hire, retain, or otherwise utilize the professional services of the Maricopa County Attorney's Office or private counsel to initiate and prosecute actions and proceedings in the manner required by law to condemn any and all Rights-of-Entry, Property, and/or Easements required for the implementation of the preferred alternative of the Laveen ADMP which cannot be obtained by donation or purchase in the following locations:

T1N, R1E, Sections 35, 36  
T1N, R2E, Sections 31, 32, 33, 34  
T1S, R1E, Sections 1, 2  
T1S, R2E, Sections 3,4,5,6,8,9,10, and 16

Subject to the ratification and approval of this Board; and,

**BE IT FURTHER RESOLVED** that the Chief Engineer and General Manager of the Flood Control District of Maricopa County is authorized and directed to include funds in the District's current Five-Year Capital Improvement Program (CIP) for design, construction, and land acquisition cost for features identified in the Laveen ADMP, subject to prioritization by the District and subsequent approval by the Board of Directors of the Five-Year CIP, and

**BE IT FURTHER RESOLVED** that the Chief Engineer and General Manager of the District is authorized and directed to advertise, select, negotiate, and award a contract for engineering services for implementation of the Laveen ADMP, subject to the ratification and approval of this Board.

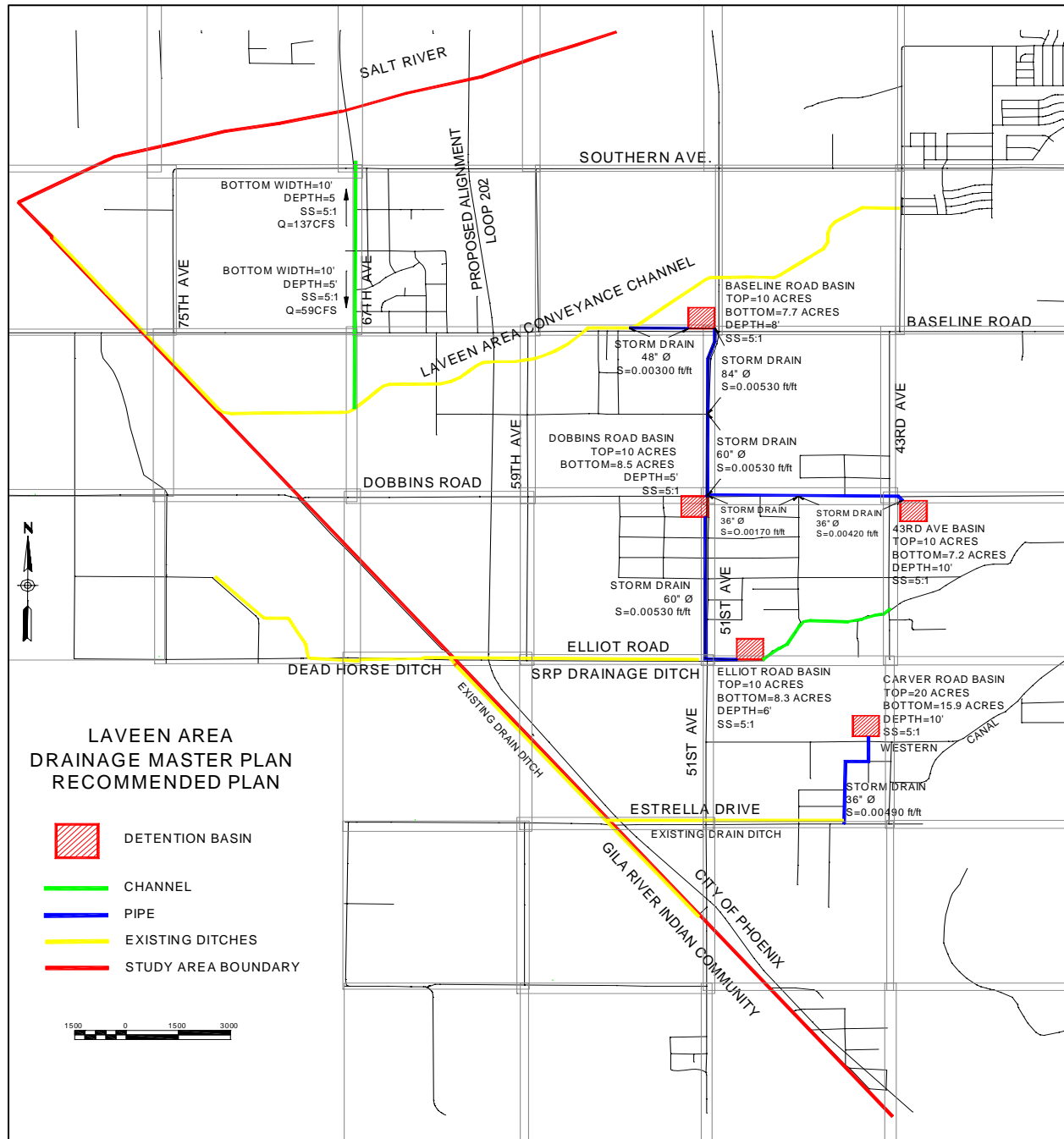
**DATED** this 7<sup>th</sup> day of August 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

August 7, 2002



**August 7, 2002**

**CONTRACTS (2) FOR ON-CALL SURVEYING AND MAPPING SERVICES**

Motion was made by Director Brock, seconded by Director Wilcox, and unanimously carried (4-0-1) to award two contracts for on-call surveying and mapping services between the Flood Control District of Maricopa County (District) and the following consultants:

- Entranco, Inc., FCD 2002C015 (C69030035)
- Brady-Aulerich & Associates, Inc., FCD 2002C016 (C69030045)

Each contract will be effective for a period of two years from the date of execution or until the contract expenditure of \$250,000, whichever occurs first. Total dollar amount for both contracts will not exceed \$500,000. The District and the Consultants will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to the notice-to-proceed with each assignment. This negotiated fee will be in accordance with the rates included in Exhibit B to the contract. (C69030025ZZ)

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Don Stapley, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board